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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,404	01/09/2002	Tzong In Yeh	MR2663-33	2062

4586 7590 09/16/2002

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ELLIOTT CITY, MD 21043

EXAMINER
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OLSON, LARS A

ART UNIT	PAPER NUMBER
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3617  
DATE MAILED: 09/16/2002  
*#2*

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

<b>Application No.</b> 10/040,404	<b>Applicant(s)</b> YEH, TZONG IN
<b>Examiner</b> Lars A Olson	<b>Art Unit</b> 3617

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

### Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) Claim(s) 1-14 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-14 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 09 January 2002 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.
 

If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- |                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> <li>1)<input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2)<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3)<input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.</li> </ol> | <ol style="list-style-type: none"> <li>4)<input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____.</li> <li>5)<input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6)<input type="checkbox"/> Other: _____.</li> </ol> |
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## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 5, 8-10 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Glydon et al. (US 5,658,179).

Glydon et al. discloses the same bodyboard structure as claimed, as shown in Figures 1-3, that is comprised of a base board, defined as Part #30, having multiple outer surfaces, a bottom plate, defined as Part #26, that is mounted to a bottom surface of said base board, and a plastic film, defined as Part #28, that encloses all outer surfaces of said base board, and is integrally heat-laminated on all outer surfaces of said base board in a close and seal manner in order to protect the entire structure of said bodyboard.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6, 7, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glydon et al. in view of Schneider et al. (US 5,211,593).

Glydon et al., as set forth above, discloses all of the features claimed except for the use of a plastic film with either colors or patterns formed thereon.

Schneider et al. discloses a bodyboard structure, as shown in Figures 1 and 2, with color and pattern graphics, defined as Part #46, imprinted on an outer plastic film, defined as Part #42.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to utilize a plastic film with colors and patterns formed thereon, as taught by Schneider et al., in combination with the bodyboard structure as disclosed by Glydon et al. for the purpose of providing a protective outer covering for a bodyboard structure that is more aesthetically pleasing to a user.

5. Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glydon et al. in view of Yeh (US 6,106,345).

Glydon et al., as set forth above, disclose all of the features claimed except for the use of a plastic film with an ultraviolet inhibitor and an anti-oxidant added to it.

Yeh discloses a bodyboard, as shown in Figure 4, with a plastic film protection layer that is heat-laminated to an outer surface of said bodyboard, where said plastic film includes an

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ultraviolet inhibitor and an anti-oxidant, as described in lines 30-37 of column 2, and claimed in claim 1.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to utilize a plastic film that includes an ultraviolet inhibitor and an anti-oxidant, as taught by Yeh, in combination with the bodyboard structure as disclosed by Glydon et al. for the purpose of providing a bodyboard with an outer protection layer having greater resistance to damage from water and sunlight.

*Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. Any inquiry concerning this communication from the examiner should be directed to Exr. Lars Olson whose telephone number is (703) 308-9807.

lo

September 10, 2002



S. JOSEPH MORANO  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600